

भारत का राजपत्र

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EXTRAORDINARY

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PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संलग्न दी जाती हैं जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 10th October, 1987/Asvina 18, 1909 (Saka)

The following President's Act is published for general information:—

THE PUNJAB PANCHAYAT SAMITIS AND ZILA PARISHADS (TEMPORARY SUPERSESSION) AMENDMENT ACT, 1987

No. 1 OF 1987

Enacted by the President in the Thirty-eighth Year of the Republic
of India.

An Act further to amend the Punjab Panchayat Samitis and Zila
Parishads (Temporary Supersession) Act, 1978.

In exercise of the powers conferred by section 3 of the Punjab State
Legislature (Delegation of Powers) Act, 1987, the President is pleased
to enact as follows:—

1. This Act may be called the Punjab Panchayat Samitis and Zila
Parishads (Temporary Supersession) Amendment Act, 1987.

Short
title.

2. In the Punjab Panchayat Samitis and Zila Parishads (Temporary
Supersession) Act, 1978, in section 3, in the proviso to sub-section (1),
for the words "nine years", the words "ten years" shall be substituted.

Amend-
ment of
section
3 of
Punjab
Act 29
of 1978.

R. VENKATARAMAN.
President.

S. RAMAIAH,
Secy. to the Govt. of India.

Reasons for the Enactment

Under the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978, as amended from time to time, the Panchayat Samitis and Zila Parishads in the State are under supersession since the 12th day of October, 1978. The elections to these bodies were proposed to be held in March, 1984, but these elections had to be postponed due to the disturbed law and order situation. The general situation in the State is still not conducive for the holding of elections to these bodies before the extended period which expires on the 11th October, 1987.

2. The elections to the Gram Panchayats in the State of Punjab are due in September, 1988. Sixteen members of a Panchayat Samiti are elected from amongst the Panches and Sarpanches of the Gram Panchayats falling within the jurisdiction of a Panchayat Samiti. If elections to the Panchayat Samitis and Zila Parishads are held now, most of these Panches/Sarpanches may lose their basic qualification to remain members of Panchayat Samiti if they are not returned on the Gram Panchayat during general elections to the Gram Panchayats in September, 1988. In such a situation, the Panchayat Samitis and Zila Parishads would become defunct. Thus it is desirable to hold elections to these bodies after the general elections to the Gram Panchayats so that their term may be co-terminus. It is, therefore, necessary that the period of supersession of these bodies be extended for another year by suitably amending the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978.

3. Parliament has, under article 357 (1)(a) of the Constitution, conferred on the President the power of the Legislature of the State of Punjab to make laws *Vide* the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

4. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall, before enacting any President's Act, consult a Committee constituted for the purpose consisting of the Members of both the Houses of Parliament. The said Committee is yet to be constituted. Further, in view of the urgency of the matter, it is not possible to wait for the constitution of the Committee. This measure is, accordingly, being enacted without reference to the Committee.

V. C. PANDE.

*Secretary to the Government of India,
Ministry of Agriculture
(Department of Rural Development).*